APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/881,040	06/15/2001	Colin I' Anson	1509-188	5161

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EXAMINER
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ART UNIT	PAPER NUMBER
2645	

DATE MAILED: 12/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _03_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1,7-11 and 13-43_ is/are pending in the application.

     4a) Of the above claim(s) _2-6 and 12_ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1,7-11 and 13-43_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All b)☐ Some * c)☐ None of:

        1.☒ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application)
since a specific reference was included in the first sentence of the specification or in an Application Data Sheet.
37 CFR 1.78.

     a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific
reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)   4) ☐ Interview Summary (PTO-413) Paper No(s). _____.

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5) ☐ Notice of Informal Patent Application (PTO-152)

3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _04 & 06_.   6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1, 7-11 and 13-43 are rejected under 35 U.S.C. 102(e) as being anticipated by

Irvin (International Pub. No. WO 00/30379).

Regarding claim 1, Irvin teaches location data indicative of at least one location where

message (i.e., service) delivery is to be triggered (abstract; page 4, lines 14-20).

Irvin further teaches a Broadcast Group code field (i.e., user-associated instance of

program code) for implementing the particular message (i.e., service) (abstract; fig.3; page 10,

lines 6-14, 23, 24).

Irvin further teaches subsequently detecting a location match between the location of the

user, as indicated by the location of a mobile entity associated with the user, and a location

indicated by the location data, and thereupon initiating execution of the Broadcast Group code

field (i.e., user-associated program-code instance) to deliver the particular message (i.e., service)

to the user (abstract; fig.3; page 4, lines 14-20, page 10, lines 6-14, 23, 24).

Regarding claim 7, Irvin teaches that the Broadcast Group code field (i.e., user-associated

program-code instance) includes user identity data and is digitally-signed by the party that

Regarding claim 7, Irvin teaches that the Broadcast Group code field (i.e., user-associated program-code instance) includes user identity data and is digitally-signed by the party that carried out the qualification step (a) whereby the service provider system can check the authenticity of the data in the Broadcast Group code field, the user mobile entity having an associated To Address field (i.e., public-key/private-key pair) and being required by the service provider system to authenticate its identity by using its Address field (i.e., private key) to sign and return data proposed by the service provider system (abstract; fig.3; page 4, lines 14-20, page 10, lines 6-14, 23, 24).

Regarding claims 8, 39 and 42, Irvin teaches that the Broadcast Group code field (i.e., user-associated program-code instance) is customization data of generic code for implementing the message (i.e., service) (abstract; fig.3; page 10, lines 6-14, 23, 24, page 11, lines 1-6).

Regarding claims 9 and 33, Irvin teaches that message (i.e., service) delivery is conditional upon the user loading a location data (i.e., inputting a personal identification code) (fig.4, fig.5; page 11, lines 12-23).

Regarding claim 10, Irvin teaches that the message (i.e., service) delivery only continues whilst the user's current location matches with a location indicated by the location data (abstract; fig.6; page 4, lines 14-20).

Regarding claim 11, Irvin teaches that once initiated, message (i.e., service) delivery is continued until completion (abstract; fig.6; page 4, lines 14-20).

Regarding claims 13 and 36, Irvin teaches that the location data is indicative of multiple locations (abstract; page 12, lines 6-8, 15, 16).

Regarding claims 14 and 37, Irvin teaches that multiple Broadcast Group code field (i.e., user-associated program-code instances) associated with different messages (i.e., services) instances to be delivered to the same user, are stored in a common repository (fig.6; page 12, lines 6-8, 15, 16, page 12, lines 3-5, 14-24).

Regarding claim 15, Irvin teaches that the Broadcast Group code field (i.e., user-associated program-code instance) is passed by the party that carries out the qualification step to the user or to a third-party, the Broadcast Group code field (i.e., user-associated program-code instance) being digitally signed by the party that carries out the qualification step whereby to enable an eventual message (i.e., service) deliverer to check the origin and authenticity of the Broadcast Group code field (fig.6; page 12, lines 6-8, 15, 16, page 14, lines 3-5, 14-24).

Regarding claim 16, Irvin teaches that the current user location is provided to the entity carrying out location matching in step (b) by a trusted location service provider and is digitally-signed by the latter (abstract; fig.6; page 4, lines 14-20, page 14, lines 7-9).

Regarding claims 17 and 38, Irvin teaches that the Broadcast Group code field (i.e., user-associated program-code instance) specifies a particular number of times (including only once) that the Broadcast Group code field (i.e., user-associated program-code instance) can be run (fig.6; page 12, lines 6-8, 15, 16, page 14, lines 3-5, 14-24).

Regarding claim 23, Irvin teaches that the Broadcast Group code field (i.e., user-associated program-code instance) is stored in the mobile entity, the detection of a location match in step (b) resulting in the message text (i.e., program-code instance) being executed at the mobile entity (abstract; fig.2; page 10, lines 6-14, 23, 24, page 11, lines 12-23).

Regarding claim 24, Irvin teaches that the Broadcast Group code field (i.e., user-associated program-code instance) is stored in the mobile entity, the detection of a location match in step (b) resulting in the message text (i.e., program-code instance) being passed from the mobile entity to a service provider system where it is executed (abstract; fig.1, fig.2; page 10, lines 6-14, 23, 24, page 11, lines 12-23).

Regarding claim 25, Irvin teaches that the Broadcast Group code field (i.e., user-associated program-code instance) is stored in the service provider system, the detection of a location match in step (b) resulting in the message text (i.e., program-code instance) being executed by the service provider system (abstract; fig.1, fig.2; page 10, lines 6-14, 23, 24, page 11, lines 12-23).

Regarding claims 26, Irvin teaches that the Broadcast Group code field (i.e., user-associated program code instance) and the location data are stored in the same entity (abstract; fig.1, fig.3; page 10, lines 6-14).

Regarding claim 27, Irvin teaches that the Broadcast Group code field (i.e., user-associated program code instance) and the location data are stored in the different entities, the location data having associated data enabling the entity storing the message text (i.e., program-code instance) to be informed when a location match is detected in step (b) (abstract; fig.1-fig.3; page 4, lines 14-20, page 10, lines 6-14, 23, 24, page 11, lines 12-23).

Regarding claims 18, Irvin teaches a position memory (i.e., location-description repository) for storing location data (abstract; fig.2; page 11, lines 12-23).

Irvin further teaches a message text (i.e., program-code repository) for storing at least one a Broadcast Group code field (i.e., user-associated program code instance) (fig.3; page 10, lines 6-14).

Irvin further teaches a message originator (i.e., qualification subsystem) for determining whether a user qualifies to benefit from an instance of a particular message (i.e., service), the message originator being operative, upon determining that a user is so qualified, both to store in the position memory (i.e., location-description repository) location data indicative of at least one location where message (i.e., service) delivery is to be triggered, and also to store in the message source (i.e., service-instance-element repository) a message text (i.e., program-code repository) a Broadcast Group code field (i.e., user-associated instance of program-code) for implementing the particular message (abstract; fig.1, fig.3; page 4, lines 14-20, page 10, lines 6-14, 23, 24).

Irvin further teaches a message (i.e., service) execution environment for executing Broadcast Group code field (i.e., user-associated program-code instances) (abstract; fig.1, fig.3; page 4, lines 14-20, page 10, lines 6-14, 23, 24).

Irvin further teaches a location-match subsystem for detecting a location match between the location of the user, as indicated by the location of a mobile entity associated with the user, and a location indicated by the location data (abstract; fig.1, fig.3; page 4, lines 14-20, page 10, lines 6-14, 23, 24).

Irvin further teaches a control arrangement responsive to the location-match subsystem detecting a location match to initiate execution of the Broadcast Group code field (i.e., user-associated program-code instance) to deliver the particular message (i.e., service) to the user (abstract; fig.1, fig.3; page 4, lines 14-20, page 10, lines 6-14, 23, 24).

Regarding claims 19 and 41, Irvin teaches that the position memory (i.e., location-description repository) is incorporated in the mobile entity associated with the user (abstract; fig.2; page 11, lines 12-23).

Regarding claim 20, Irvin teaches that the message text (i.e., program-code repository) is incorporated in the mobile entity associated with the user (abstract; fig.2; page 11, lines 12-23).

Regarding claim 21, Irvin teaches that the message (i.e., service) execution environment is incorporated in said mobile entity associated with the user (abstract; fig.2; page 11, lines 12-23).

Regarding claim 22, Irvin teaches that the message (i.e., service) execution environment is separate from the mobile entity but can inter-communicate with the latter via a wireless infrastructure at least when the mobile entity is positioned to give rise to a location match, the mobile entity being operative to pass the Broadcast Group code field (i.e., user-associated program-code instance) to the execution environment via the wireless infrastructure upon occurrence of a location match (abstract; fig.2, fig.3; page 4, lines 14-20, page 10, lines 6-14, 23, 24, page 11, lines 12-23).

Regarding claim 28 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Irvin teaches that the transmission header (i.e., service token) being stored in a mobile entity associated with the user (fig.1, fig.2; page 10, lines 6-14, 23, 24, page 11, lines 1-6).

Regarding claim 29, Irvin teaches that the transmission header (i.e., service token) includes communication address details of the service provider system (fig.1, fig.2; page 10, lines 6-14, 23, 24, page 11, lines 1-6).

Regarding claim 30, Irvin teaches that the transmission header (i.e., service token) includes inherently a password for accessing the service provider system (fig.1, fig.2; page 10, lines 6-14, 23, 24, page 11, lines 1-6).

Regarding claim 31, Irvin teaches that the transmission header (i.e., service token) includes both a message (i.e., service) identifier and a user identifier, step (b) including a sub-step of the service provider system checking the identity of the user of the mobile entity against the user identity in the transmission header (i.e., service token) (abstract; fig.1, fig.2; page 10, lines 6-14, 23, 24, page 11, lines 1-6).

Regarding claim 32, Irvin teaches that the transmission header (i.e., service token) includes user identity data and is digitally-signed by the party that carried out the qualification in step (a) whereby the service provider system can check the authenticity of the data in the transmission header, the user mobile entity having an associated To Address field (i.e., public-key/private-key pair) and being required by the service provider system to authenticate its identity by using its Address field (i.e., private key) to sign and return data proposed by the service provider system (abstract; fig.3; page 4, lines 14-20, page 10, lines 6-14, 23, 24).

Regarding claim 34, Irvin teaches that the transmission header (i.e., service token) is digitally-signed by the party that carries out the qualification in step (a) whereby the service provider system using this digital signing of the transmission header to check the origin and authenticity of the transmission header (abstract; fig.3; page 4, lines 14-20, page 10, lines 6-14, 23, 24).

Regarding claim 35 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Irvin teaches the positioning receiver (i.e., location server) of a wireless

(i.e., cellular radio) communications infrastructure usable by the mobile entity (abstract; fig.1, fig.2; page 9, lines 20-24, page 10, lines 1-3).

Regarding claim 40 is rejected for the same reasons as discussed above with respect to claims 18 and 28. Furthermore, Irvin teaches that a message (i.e., service) delivery subsystem for providing the particular message, the message (i.e., service) delivery subsystem being separate from the mobile entity (abstract; fig.1, fig.2; page 10, lines 6-14, 23, 24, page 11, lines 1-6).

Regarding claim 43 is rejected for the same reasons as discussed above with respect to claims 18 and 28. Furthermore, Irvin teaches that modifying the location data as part of delivery of the message (i.e., service instance) initiated in step (b) (abstract; fig.1, fig.2; page 10, lines 6-14, 23, 24, page 11, lines 1-6).

Conclusion

3.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. EMILSSON et al. (International Pub. No. WO 9859506) teach improvements in or relating to information distribution.

4.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alam Elahee whose telephone number is (703) 305-4822. The examiner can normally be reached on Mon to Fri from 9:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (703) 305-4750.

M. E.

MD SHAFIUL ALAM ELAHEE
December 12, 2003

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